



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/877,744

06/08/2001

On-Kwok Victor Li

063.P016

5203

43831

7590

10/25/2010

BERKELEY LAW & TECHNOLOGY GROUP, LLP
17933 NW Evergreen Parkway, Suite 250
BEAVERTON, OR 97006

EXAMINER

COULTER, KENNETH R

ART UNIT

PAPER NUMBER

2445

MAIL DATE

DELIVERY MODE

10/25/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/877,744	Applicant(s) LI ET AL.	
	Examiner Kenneth R. Coulter	Art Unit 2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7 and 9-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4 – 7 and 9 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Henrion (U.S. Pat. No. 5,461,615) (Asynchronous Switching Node Distributing Cells Dynamically to Outputs Constituting an Irregular Group).

2.1 Regarding claim 1, Henrion discloses a method for assigning an address to a node in a network having an arbitrary topology (col. 9, lines 24 – 42 “irregular group”), the method comprising:

assigning a first address to a first node such that the first address includes a description of a path to the first node (Fig. 2; col. 8, lines 12 – 35 “A **first set of three bits** of the label identifies one of the eight outputs ...”; col. 9, lines 24 – 42);

assigning a second address to the first node such that the second address includes a description of another path to the first node (Fig. 2; col. 8, lines 12 – 35 “A **second set of three bits** identifies one of the eight outputs ...”; col. 9, lines 24 – 42);
and

establishing a mapping between plurality of output ports in the network and bits in the first or second address such that a packet, directed to the first address, at a second node in the network is forwarded via an output port on the second node in the network, in response to a specified bit in the first or second address having a specified value (Fig. 2; col. 8, lines 12 – 35 “an output address OPA ... includes a plurality of sets of bits each identifying one output of a switching element through which the cell must pass.”).

2.2 Per claim 2, Henrion teaches the method of claim 1 wherein the network is an *optical* network (Abstract “ATM telecommunication networks”; Fig. 1).

2.3 Per claim 4, Henrion teaches the method of claim 1 wherein concurrent bits in the first address map to output ports on the second node (Figs. 1, 2; col. 8, lines 12 – 35; col. 9, lines 24 – 42).

2.4 Regarding claim 5, Henrion discloses the method of claim 4 wherein the map is a one-to-one correspondence (Figs. 2, 3; col. 8, lines 12 – 35; col. 9, lines 24 – 42).

2.5 Per claim 6, Henrion teaches the method of claim 4 wherein each of the output ports on the second node maps to a bit in the concurrent bits in the first address (Figs. 1, 2; col. 8, lines 12 – 35; col. 9, lines 24 – 42).

Art Unit: 2445

2.6 Regarding claim 7, Henrion discloses the method of claim 1 further including associating an output port in a node to an unused bit in a sub-field corresponding to the node in an address such that in response to a new address for directing a packet to a node in the network, the packet is forwarded via the output port (col. 8, lines 12 – 35; col. 9, lines 24 – 42).

2.7 Per claims 9 – 21, the rejection of claims 1, 2, 4 – 7 under 35 USC 102(b) (paragraphs 2.1 – 2.7 above) applies fully.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 4 – 7 and 9 – 20 have been considered but are moot in view of the newly cited passages above.

Allowable Subject Matter

Claim 8 is allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on M - F, 7:30 am - 4 pm.

Art Unit: 2445

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew T. Caldwell can be reached on 571 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kenneth R Coulter/
Primary Examiner, Art Unit 2445

/KRC/